

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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:
STEVEN SCHREIBER, *et al.*, :
:
Plaintiffs, :
: 15-CV-06861 (CBA) (JO)
v. :
: February 7, 2019
EMIL FRIEDMAN, *et al.*, :
: Brooklyn, New York
:
Defendants. :
:
-----X

TRANSCRIPT OF CIVIL CAUSE FOR STATUS CONFERENCE
BEFORE THE HONORABLE JAMES ORENSTEIN
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

For the Plaintiffs: RAPHAEL ROSENBLATT, ESQ.
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For the Defendants: NICOLE I. HYLAND, ESQ.
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Proceedings recorded by electronic sound recording,
transcript produced by transcription service

1 (Proceedings began at 9:38 a.m.)

2 THE CLERK: Civil cause for a hearing, Schreiber v.
3 Friedman, et al., Docket No. 15-CV-6861.

4 Will the parties please state their appearances for
5 the record, starting with the plaintiffs?

6 MR. ROSENBLATT: Thank you. Good morning, Your
7 Honor. Raphael Rosenblatt, Rosenblatt Law, PC, on behalf of
8 Eugene Schreiber, Steven Schreiber, and Two Rivers Coffee.
9 I'll note just for the record that both Mr. Schreibers are
10 here with me.

11 THE COURT: Good morning to all of you. And for the
12 --

13 MS. HYLAND: Good morning, Your Honor. Nicole
14 Hyland of Frankfurt Kurnit Klein & Selz for Nelkin & Nelkin.
15 And both of the Nelkins are here with me today.

16 THE COURT: Good morning to all of you. And?

17 MR. MAULSBY: Tyler Maulsby of Frankfurt Kurnit
18 Klein & Selz, also on behalf of Nelkin & Nelkin. Good
19 morning.

20 THE COURT: Good morning to everybody.

21 All right, folks. So you had asked to have this
22 conference to talk about the hearing to have the hearing. So
23 -- and I think it was your request, Ms. --

1 MS. HYLAND: Yes.

2 THE COURT: -- Hyland. So tell me what it is you
3 have in mind.

4 MS. HYLAND: Well, the reason we wanted to have this
5 conference was to discuss what procedural things needed to be
6 done before the hearing.

7 THE COURT: Okay.

8 MS. HYLAND: And, you know what, there's a lot at
9 stake at this hearing. There's the issue of the, you know,
10 the for-cause termination. There's the issue of what fees my
11 clients are entitled to. There's a lot of money at stake
12 here. And if we were in a plenary proceeding, there would be
13 discovery, there would be, you know, a procedure there. And,
14 here, given these issues and given all of the factual issues
15 that have been raised by the Schreibers' letter setting forth
16 their grounds for for-cause termination, we're asking the
17 Court if we could have some expedited discovery to prepare, to
18 develop the evidence, and prepare for this hearing to make it
19 more efficient for everyone.

20 We did reach out to Counsel to try to meet and
21 confer on that, and we had a conversation. And I mean I'll
22 let Counsel state his position, but essentially, I understood
23 his position to be that he did not believe any discovery was
24 necessary. So that's why we requested the conference.

25 THE COURT: And you say discovery about what and in

1 what form?

2 MS. HYLAND: So we would like some document
3 discovery and some limited depositions. And essentially, the
4 issues that are set forth in the for-cause would dictate the
5 contours of discovery. So, for example, one of the grounds --
6 the main ground for that the Schreibers set forth in their
7 for-cause letter for claiming that there was for-cause
8 termination is that there was this dispute over the valuation
9 of the company, that they believe that the Nelkins took an
10 unreasonable and unfair position on the valuation in order to
11 unfairly inflate their fees.

12 We, of course, believe that we had a reasonable
13 basis to believe that the company had a certain value based on
14 the statements that were made to us by -- to my clients by the
15 Schreibers. And so we believe that position was reasonable.
16 But one of the issues is going to be what was the actual value
17 of the company.

18 THE COURT: No. I'm not going to determine what the
19 valuation properly was. Look, you said it was X, they said it
20 was Y. Let's say you're right, it was X. The question's not
21 were you right. The question is did you act on the basis of
22 that knowledge in a way that is permissible or that gave rise
23 to discharge for cause. It doesn't matter whether you were
24 right or wrong. It's what you did with the belief that you
25 were right that matters.

1 MS. HYLAND: Okay. I mean I would say that it does
2 -- it is relevant what the valuation is.

3 THE COURT: Tell me why. Would it give them reason
4 to discharge you for cause if they were right and you were
5 wrong?

6 MS. HYLAND: Would it give them -- if -- I think
7 it's difficult to disentangle the question --

8 THE COURT: I don't because this is a question of
9 for-cause termination, not who's right about the valuation or
10 about what fee is owed. The question here is were your
11 clients discharged for cause. That is based on what happened
12 between you and what actions the relevant parties took in
13 court or with each other. You know what the communications
14 were between client and counsel. You know what actions were
15 taken here in court. I just don't see the relevance to the
16 determination I'm going to have to make as to who is right
17 about the valuation of the company.

18 MS. HYLAND: Well, I think one basis is that, you
19 know, if the Schreibers were, for example, misrepresenting
20 what the value of the company was to the Nelkins in order to
21 continue to have them, you know, put a lot of resources into
22 litigating the case, then I think that's relevant. And one
23 simple way to determine that is to compare the communications
24 with what the actual value of the company is.

25 THE COURT: I'm not -- I just don't -- I'm not --

1 I'm absolutely not going to determine the value of the
2 company.

3 MS. HYLAND: Okay.

4 THE COURT: It's not before me.

5 MS. HYLAND: Okay. Well, even --

6 THE COURT: What else do you want discovery about?

7 MS. HYLAND: -- putting that aside for -- so the
8 communications, one of the grounds, for example, for
9 termination was that allegedly the Nelkins, while they were
10 trying to resolve this fee issue with their clients, refused
11 to communicate with other attorneys that the Schreibers had
12 hired to represent them in connection with the fee issue.
13 And, obviously, we dispute that, but I think some of the
14 evidence will -- you know, the evidence will show, I believe,
15 that the Nelkins did make themselves available and did in fact
16 communicate with those lawyers.

17 But we would like to be able to develop evidence
18 about what -- you know, what those lawyers would say about
19 those communications and, you know, whether they believe that
20 they had access to the Nelkins and were able to communicate
21 with them on this issue. So that's one issue that we'd like
22 to explore. We would like to have depositions of the
23 Schreibers at a minimum to be able to explore all of the
24 issues that they raise.

25 They also say at the end of their letter that

1 there's a plethora of evidence of direct conflict of interest
2 that can be provided to the Court if the Court so requests.
3 They also say there is more evidence that if there's a
4 hearing, that it will come to light. We would like to know
5 what that evidence is.

6 THE COURT: Well, you'll see it in their motion, and
7 you'll respond with your evidence because every motion that
8 involves a dispute of fact require discovery as opposed to a
9 hearing on it.

10 MS. HYLAND: Let me just clarify.

11 THE COURT: Let you answer the question. Does every
12 motion in which the parties disagree about the underlying
13 facts require discovery or simply a factual determination
14 before the motion is decided?

15 MS. HYLAND: I don't think every -- no, I don't
16 think every motion --

17 THE COURT: Ma Nishtana.

18 MS. HYLAND: Sorry.

19 THE COURT: Ma Nishtana. What makes this one
20 different?

21 MS. HYLAND: Oh, okay; sorry. As I said before,
22 there's millions of dollars at stake here, and there's a
23 reputation of the Nelkins at stake here. This is a major
24 issue that is being -- we're being asked to brief and
25 determine or, you know, to have a hearing on. And if we were

1 -- we had the ability to go and have a plenary proceeding, we
2 in fact filed on and withdrew it in good faith because, you
3 know, we understood that these issues were going to be held
4 here. But if we --

5 THE COURT: Whoa, stop.

6 MS. HYLAND: Sorry.

7 THE COURT: You're saying I have to give you
8 discovery because you decided to withdraw your lawsuit?
9 That's --

10 MS. HYLAND: No. That's not --

11 THE COURT: That's not binding on me.

12 MS. HYLAND: That's not what I meant.

13 THE COURT: And you didn't ask me.

14 MS. HYLAND: Sorry?

15 THE COURT: You didn't ask me.

16 MS. HYLAND: You're right. I --

17 THE COURT: So don't -- so --

18 MS. HYLAND: That's not what I meant. Please let me
19 -- I apologize. That's not what I meant.

20 THE COURT: Okay.

21 MS. HYLAND: What I meant was, you know, we
22 understood we had a right to have plenary proceeding. I'm not
23 saying that you made any representation to us that you would
24 provide us with this discovery, but if we were in a plenary
25 proceeding, we would be able to have a certain amount of

1 discovery. We're just asking for some limited discovery to be
2 able to develop this evidence that they're claiming exists so
3 that we can be prepared for a hearing.

4 There was another point that you asked me about and
5 I didn't have a chance to respond to, so I apologize. But,
6 you know, I just -- again, we're just asking for some, you
7 know, modicum of discovery here in order to prepare for this
8 hearing.

9 THE COURT: Okay. You also [indiscernible]. You
10 also said you wanted to talk about witnesses at the hearing?

11 MS. HYLAND: Well, yeah. That's one of the issues.

12 THE COURT: So what do you have in mind?

13 MS. HYLAND: So, again, looking to the letter as
14 sort of a guidepost for what the issues are that the
15 Schreibers -- we understand the Schreibers plan to raise, we
16 would obviously have the Schreibers as, you know, witnesses.
17 The Nelkins would be witnesses. Beyond that, again, they talk
18 about the fact that we refuse to communicate with their
19 attorneys. So I believe their attorneys may be witnesses to
20 talk about that, so that would be Jerry Weiss and Mr. Parness.

21 They talk about that we allegedly worked with
22 Nicholas Faso, counsel to Mr. Koenig, to try to, you know,
23 somehow manipulate the settlement against the Schreibers, so
24 they may be witnesses. So were hoping to be able to have some
25 procedure to exchange the list of witnesses and come to some

1 --

2 THE COURT: Okay.

3 MS. HYLAND: -- some basis for having witness lists.

4 THE COURT: All right. Mr. Rosenblatt, what do you
5 say?

6 MR. ROSENBLATT: Well, I think Your Honor has really
7 touched on the issue. I mean this really is a motion --

8 THE COURT: Well, and I touched the valuation, but
9 --

10 MR. ROSENBLATT: Yeah. I mean --

11 THE COURT: -- you're going to raise factual issues
12 and ask me to make certain factual findings based on what
13 witnesses they have?

14 MR. ROSENBLATT: Yes.

15 THE COURT: Okay. How are you planning to prove the
16 --

17 MR. ROSENBLATT: Well --

18 THE COURT: -- the facts that are in dispute?

19 MR. ROSENBLATT: Well, frankly, I think that we can
20 -- I mean I think this is something that can be done by motion
21 practice. I mean the issues are --

22 THE COURT: But is it a motion that will have
23 factual disputes?

24 MR. ROSENBLATT: I mean sure.

25 THE COURT: Okay. How do you propose to have me

1 resolve them; on what evidence? Declarations and affidavits,
2 witness testimony at a hearing, what?

3 MR. ROSENBLATT: We can certainly do witness
4 testimony at a hearing. We can also, frankly, I think do it
5 on the papers. I mean I think this is -- there are factual
6 issues -- well, let me take that back. I'm not sure that
7 there are necessarily factual issues about the way the Nelkins
8 communicated with the Schreibers and the things that were done
9 even with this Court with regard to how the Nelkins proceeded
10 and the case moved forward as a settlement was
11 [indiscernible].

12 THE COURT: Look, the docket is the docket.

13 MR. ROSENBLATT: Yes.

14 THE COURT: The communications between you, you guys
15 know about it. Is there anything beyond that that you're
16 going to ask me to take into account factually that isn't on
17 the docket or something, you know, that is going to be
18 essentially emails between the Schreibers and the Nelkins?

19 MR. ROSENBLATT: I think the primary focus of our --
20 our primary focus is going to be the direct communications
21 between the Nelkins and the Schreibers. There is certainly
22 ancillary --

23 THE COURT: I didn't ask for primary. I --

24 MR. ROSENBLATT: I understand.

25 THE COURT: You know, I really can't stand it when

1 lawyers know what I'm asking and decide not to answer it and
2 pretend that I asked something else. It's terribly
3 frustrating. I didn't ask the primary focus. Is there any
4 factual matter that I'm going to need to decide that will go
5 beyond what's in the docket and the emails back and forth
6 between Schreibers and Nelkins?

7 MR. ROSENBLATT: And I'm not avoiding it. I'm just
8 trying to think through it.

9 THE COURT: Think and then answer.

10 MR. ROSENBLATT: Okay. I mean our position is that
11 this is something that can be decided on the papers based on
12 the communications between the Nelkins, the Schreibers, the
13 docket, and those communications. That said --

14 THE COURT: When you say those communications, just
15 like emails back and forth?

16 MR. ROSENBLATT: Emails, proposed settlement
17 agreements, those types of things.

18 THE COURT: Right. The documents?

19 MR. ROSENBLATT: Yes. But --

20 THE COURT: So I'm not going to see any affidavits
21 about here's what else happened?

22 MR. ROSENBLATT: I will say that we don't believe
23 it's necessary to have those. But --

24 THE COURT: Am I going to see it?

25 MR. ROSENBLATT: Let me answer it this way.

1 THE COURT: You know what? No.

2 MR. ROSENBLATT: No, no.

3 THE COURT: No.

4 MR. ROSENBLATT: The answer is --

5 THE COURT: Mr. Rosenblatt?

6 MR. ROSENBLATT: The answer is --

7 THE COURT: No, stop.

8 MR. ROSENBLATT: Yeah.

9 THE COURT: Answer my question. Will I see
10 affidavits or declarations of factual matters beyond what's in
11 documents that went back and forth? Yes or no; don't say
12 anything else, please.

13 MR. ROSENBLATT: No. I mean we -- we have enough
14 with just what we can submit to the Court on the papers.

15 THE COURT: And don't get me wrong. I'm not saying
16 you can't have something.

17 MR. ROSENBLATT: Okay.

18 THE COURT: But I want to know what's coming so that
19 I can intelligently address Ms. Hyland's request.

20 MR. ROSENBLATT: Okay. So, obviously, I'm not
21 waiving any right to present anything else. I mean I assume
22 the Court understands that.

23 THE COURT: I'm not asking you to.

24 MR. ROSENBLATT: Okay, fine. But, yes, we -- our
25 position is that this is essentially motion practice that can

1 be done on the papers with direct evidence of communications
2 between the Nelkins and the Schreibers and the docket, and
3 that's all what we need.

4 THE COURT: Do you anticipate calling any witnesses
5 to prove up any facts?

6 MR. ROSENBLATT: The Schreibers, possibly the
7 Nelkins. That's --

8 THE COURT: Will they be testifying to any facts
9 that aren't already in the record or won't already be in the
10 record when you submit your brief?

11 MR. ROSENBLATT: No. That would be what we'd put in
12 the papers.

13 THE COURT: Okay.

14 MR. ROSENBLATT: But it would be just maybe to flesh
15 things out, that kind of thing.

16 THE COURT: Okay. And on your side, what do you
17 anticipate proving up?

18 MS. HYLAND: I'm surprised to hear there won't be
19 declarations with factual information because that's -- we
20 would certainly expect that and we'd expect to put those types
21 of declarations in which is why we're here talking about
22 discovery and, again, just because that's what we inferred
23 from the letter that was submitted.

24 THE COURT: This would be so much easier for
25 everybody involved if you guys sat down and talked to each

1 other about what are we going to do here. But we're not --

2 MS. HYLAND: Well, we --

3 THE COURT: -- past the point where that can happen.

4 MS. HYLAND: We did try to talk to Counsel.

5 THE COURT: Look, on both sides I know you're going
6 to tell me we tried, we tried. Sit down and do it or don't.

7 But anyway, are you going to present in your submissions
8 factual matter beyond --

9 MS. HYLAND: Yes.

10 THE COURT: -- the docket and -- what? Tell me
11 what.

12 MS. HYLAND: Well, we'll definitely be putting in
13 declarations from the Nelkins.

14 THE COURT: To go beyond what was -- what's in
15 documents that go back and forth?

16 MS. HYLAND: Most likely, yes.

17 THE COURT: Okay.

18 MS. HYLAND: Yes. And --

19 THE COURT: Sorry to keep interrupting you, but I
20 want to take this one thing at a time.

21 MS. HYLAND: Certainly.

22 THE COURT: Mr. Rosenblatt, are you going to seek to
23 depose them in advance of a hearing?

24 MR. ROSENBLATT: If they're going to introduce
25 things that are beyond the scope of communications, then

1 certainly. I mean we'd like to -- we don't want to take
2 depositions. We don't think it's necessary. But if it's
3 going to turn into a full-blown hearing where they're
4 presenting evidence that we haven't seen before, obviously,
5 we'd want to know.

6 THE COURT: I don't know whether it will or it
7 won't. I guess what I'm trying to find out is do you agree
8 with the proposing that if there's a hearing, an evidentiary
9 hearing, to determine factual matters, that you guys should
10 exchange discovery in advance of that hearing?

11 MR. ROSENBLATT: Well, I mean we haven't -- we still
12 don't have the file, so I mean we'd like that kind of --

13 THE COURT: It's not hard to have back and forth
14 where you actually answer my questions, but you do have to
15 make the choice to do it. Do you agree with Ms. Hyland that
16 if there's going to be an evidentiary hearing, there should,
17 for example, there should be depositions of any witnesses
18 going to testify at the hearing?

19 MR. ROSENBLATT: If that hearing is beyond the scope
20 of the limited focus of the motion practice. In other words,
21 what I was talking about was the Schreibers testifying to
22 maybe flesh out issues that are --

23 THE COURT: If the Nelkins give me an affidavit that
24 has matters beyond what's in the docket or in their emails --

25 MR. ROSENBLATT: Right.

1 THE COURT: If it's something other than here are my
2 emails, you think that instead of just questioning them about
3 their affidavits on the stand, you should have a deposition
4 first?

5 MR. ROSENBLATT: Not necessarily. I don't --

6 THE COURT: Okay. What else do you anticipate
7 besides the Nelkins?

8 MS. HYLAND: Well, I think we'll probably again have
9 -- we'd like to depose some of the attorneys, for example,
10 possibly Mr. Faso or Mr. Koenig.

11 THE COURT: No, no. Before we get to that --

12 MS. HYLAND: Oh, sorry.

13 THE COURT: -- in terms of what your brief would
14 look like, what factual matters would you be presenting, you
15 know, beyond the affidavits of the Nelkins?

16 MS. HYLAND: Oh, okay. I'm sorry. Documents, the
17 declarations of the Nelkins. I'm not sure if we're going to
18 have other third-party witnesses that we'll be able to get
19 declarations from, but we may have that.

20 THE COURT: All right. Well, look, honestly, I
21 think it's sort of premature because I don't know what need
22 there will be for a factual determination until I see your
23 submissions, really. I'm not -- you know, certainly, I think
24 if there's a factual dispute that the submission has raised,
25 I'll have to determine that with an evidentiary hearing once I

1 get a sense of what that hearing would need to look like, you
2 know, by seeing who's disputing what.

3 Then, I think we can more intelligently address
4 whether in order to prepare for that hearing, you need
5 discovery. I'll tell you this, I think it's terribly
6 inefficient. You guys are already eating up way more value in
7 litigation costs than this is worth, maybe not more than the
8 dispute is worth but you -- this is terribly wasteful, I
9 think. And I'm sensitive to the idea that you're not entitled
10 to discovery. It may make sense, but it would certainly add
11 to the cost. I want to be as efficient as possible.

12 If it's a matter of, you know, you've got affidavits
13 going different directions and you're going to have to cross-
14 examine people, my instinct would be, you know what, you can
15 prepare to do that without a deposition. But if there's
16 something where, you know, you really don't know enough to be
17 able to litigate fairly, then I'm going to have you engage in
18 some limited deposition -- discovery. But I'm really not
19 going to know that until I see your submissions. So let's set
20 a schedule for that.

21 One other thing, Ms. Hyland?

22 MS. HYLAND: Uh-huh.

23 THE COURT: Actually for both sides, you had in your
24 motion for reconsideration the declaration of expert --

25 MS. HYLAND: Correct.

1 THE COURT: -- in legal ethics. Is that something
2 you anticipate adducing as evidence in some way?

3 MS. HYLAND: I would think so, yes, since it is a
4 good cause issue. So --

5 THE COURT: Right. So you're going to need to --
6 and do you anticipate doing the same?

7 MR. ROSENBLATT: Probably.

8 THE COURT: Okay. I would like you guys to give
9 some thought to the bar that you'll have to overcome. There's
10 case law about this in the circuit. What you're asking me to
11 determine is a legal question, that is, you know, in the realm
12 of legal ethics, but it's a legal question. There are
13 certainly times when the expert testimony of a professional
14 responsibility expert is relevant and admissible, but it tends
15 to be where a lawyer defendant's state of mind is one of the
16 elements of a criminal case or in the context of a legal
17 malpractice case. In those contexts, it's admissible.

18 In the context of a dispute where the Court has to
19 resolve a question of legal ethics, it's a legal question and
20 not admissible. I may have the ability to find my citation on
21 that quickly. I don't know if I can. But I'm not going to
22 ask you to wait for me while I find it, but I know there's
23 Second Circuit case law that I was recently looking at on that
24 very point.

25 So I'm really dubious to the idea that there's a

1 rule for expert witnesses, expert testimony, which isn't to
2 say you can't have a legal ethics expert advise you about what
3 to put in your brief, by all means. But it's a legal
4 question, and I don't anticipate, absent being shown good
5 cause, that there's a basis for doing so having expert
6 evidence.

7 MS. HYLAND: Okay. We'll look into it and --

8 THE COURT: Yeah.

9 MS. HYLAND: -- and if we think it's compelling,
10 we'll come back to you, I guess?

11 THE COURT: Okay.

12 MS. HYLAND: Okay.

13 THE COURT: So and I wanted to raise that because it
14 may affect the schedule --

15 MS. HYLAND: Yes.

16 THE COURT: -- we have for setting a briefing
17 schedule. So you're going to be making the motion, right?

18 MR. ROSENBLATT: Yes.

19 THE COURT: Okay. When do you want to put in your
20 brief?

21 MR. ROSENBLATT: Let me just look at a calendar for
22 a second --

23 THE COURT: Uh-huh.

24 MR. ROSENBLATT: -- if I may.

25 [Pause in proceedings.]

1 MR. ROSENBLATT: My clients advise that in two weeks
2 they're going to be traveling --

3 THE COURT: Uh-huh.

4 MR. ROSENBLATT: -- for -- until the end of the
5 month. So I'd ask for at least until they're able to get
6 back. I know it's a little bit of a -- little bit of --

7 THE COURT: You guys -- I'm happy to have any
8 schedule, any briefing schedule you guys are amenable to.
9 Just give me your suggestion.

10 MS. HYLAND: Should we confirm with each other and
11 come back to you?

12 THE COURT: That's fine. Do you want to do that?

13 MS. HYLAND: Do you want to do that?

14 MR. ROSENBLATT: That's fine.

15 THE COURT: Okay.

16 MS. HYLAND: Okay.

17 THE COURT: So, look, I'm not resolving any requests
18 for discovery today. I really do think it's premature until I
19 see your submissions.

20 MS. HYLAND: Okay.

21 THE COURT: And so with your -- give me your
22 briefing -- your proposed briefing schedule. Once you submit
23 the briefs, once the briefing is complete, I'll ask you to get
24 together and hopefully agree on something, you know, whether
25 it's discovery or hearing dates or whatever. If you can agree

1 on it, great. I'll do what you agree on. If you don't, just
2 give me your competing suggestions, okay?

3 So when do you think you can get me a letter with a
4 proposed schedule?

5 MS. HYLAND: Wednesday.

6 MR. ROSENBLATT: Why don't we take a week.

7 MS. HYLAND: A week, okay.

8 THE COURT: That's fine. Okay. So I'll have that
9 on February 14th. Okay. Just before I forget, I did find
10 that case law I was talking about. There's a case called
11 Bernstein v. Bernstein Litowitz, 814 F.3rd 132 at page 144.
12 And that cites some cases about how the court's not compelled
13 to accept a legal ethics expert's declaration regarding
14 whether an ethical duty had been triggered because that's a
15 question for the court to decide.

16 MS. HYLAND: Okay.

17 THE COURT: But that's a starting point. If you
18 want me to consider something else, I will. All right. Is
19 there anything else we can accomplish today?

20 MS. HYLAND: No.

21 THE COURT: No.

22 MR. ROSENBLATT: I think that covers it. Thank you,
23 Your Honor.

24 THE COURT: Thank you all. Have a good day.

25 MS. HYLAND: Thank you.

1 (Proceedings concluded at 11:10 a.m.)

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1 I certify that the foregoing is a court transcript from
2 an electronic sound recording of the proceedings in the above-
3 entitled matter.



6 Shari Riemer, CET-805

7 Dated: February 7, 2019

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